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MITEK, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SIMPSON STRONG-TIE COMPANY  
INC.,

Plaintiff,

v.

MITEK, INC.,

Defendant.

Case No. 5:20-cv-06957-VKD

**JOINT STIPULATION AND PROPOSED  
ORDER EXTENDING DEADLINE FOR  
MEDIATION**

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1 Pursuant to Northern District of California Civil Local Rule 6-2, Plaintiff Simpson  
2 Strong-Tie Company, Inc. (“Simpson”) and defendant MiTek, Inc. (“MiTek”) hereby submit this  
3 Stipulation and Proposed Order Extending the Deadline for Mediation:

4 WHEREAS, Simpson served its Complaint on MiTek in the above-captioned action on  
5 December 15, 2020;

6 WHEREAS, on April 13, 2021, the Court issued a Case Management Order [ECF No.  
7 47], which, among other things, required the Parties to conduct a private mediation with JAMS  
8 Inc. by no later than December 31, 2021;

9 WHEREAS, the Parties believed, as set forth in the Joint Case Management Statement  
10 [ECF No. 44], that it would be beneficial to engage in the discovery process to a significant  
11 degree before conducting a mediation;

12 WHEREAS, the Parties have been engaging in the discovery process, including the  
13 production of thousands of pages of ESI, which process has taken longer than the parties had  
14 anticipated;

15 WHEREAS, the Parties have selected a mediator, Shirish Gupta of JAMS Inc., and  
16 agreed to hold the date of January 21, 2022, for the mediation, pending the approval of the Court;

17 WHEREAS, the Parties’ only prior request to modify any time was the Parties’  
18 Stipulation and Proposed Order requesting an extension of the deadline for MiTek to respond to  
19 the Complaint and an extension of the Initial Case Management Conference to after that deadline  
20 to respond, which extensions were accepted by the Court in an Order issued December 31, 2020  
21 [ECF No. 12]; and

22 WHEREAS, the current requested change to the deadline to conduct mediation will not  
23 affect the trial date or any other case deadlines;

24 NOW, THEREFORE, IT IS HEREBY STIPULATED, subject to Court approval, that the  
25 deadline to conduct mediation is extended one month to January 31, 2022.

26 //

27 //

28 //

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1 Dated: December 13, 2021

SHARTSIS FRIESE LLP

2  
3 By: /s/ Joseph V. Mauch  
JOSEPH V. MAUCH

4 Attorneys for Plaintiff  
5 SIMPSON STRONG-TIE COMPANY INC.

6 Dated: December 13, 2021

PRACTUS LLP

7  
8 By: /s/ Duane Mathiowetz  
DUANE MATHIOWETZ

9 Attorneys for Defendant  
10 MITEK, INC.

11 **DECLARATION UNDER CIVIL LOCAL RULE 5-1(i)(3)**

12 I, JOSEPH V. MAUCH, am the ECF User whose ID and password are being used to file  
13 this JOINT STIPULATION AND PROPOSED ORDER EXTENDING DEADLINE FOR  
14 MEDIATION. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that I have the  
15 concurrence of the signatory above indicated by a “conformed” signature (/s/) within this e-filed  
16 document.


17  
18 DATED: December 13 , 2021

/s/ Joseph V. Mauch  
JOSEPH V. MAUCH

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 14, 2021

  
Hon. Virginia K. DeMarchi  
United States Magistrate Judge

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